



# Orange County Government

Orange County  
Administration Center  
201 S Rosalind Ave.  
Orlando, FL 32802-1393

## Legislation Text

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**File #:** 24-1678, **Version:** 1

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### Interoffice Memorandum

**DATE:** October 30, 2024

**TO:** Mayor Jerry L. Demings and County Commissioners

**THROUGH:** NA

**FROM:** Joseph C. Kunkel, P.E., Director, Public Works Department

**CONTACT:** Eduardo Avellaneda, P.E., Manager

**PHONE:** (407) 836-7871

**DIVISION:** Roads and Drainage Division

**ACTION REQUESTED:**

Approval and execution of County Deed for a portion of Binion Road. District 2. **(Roads and Drainage Division)**

**PROJECT:** NA

**PURPOSE:**

The City of Apopka (City) has requested the County to transfer a portion of Binion Road from the County to the City. The Board approved the Interlocal Agreement regarding transfer of jurisdiction of a portion of Binion Road on September 10, 2024.

The City has now approved and executed the Agreement that transfers responsibility for maintaining that portion of Binion Road from the northern right of way of Areca Palm Drive to the southern right of way of Hayden Valley Street.

As the City has approved the agreement, we are requesting that the County Deed for that portion of Binion Road be approved and executed by the Board.

**BUDGET:** NA

BCC Mtg. Date: November 19, 2024

**Project: Interlocal Agreement between City of Apopka and Orange County regarding the Transfer of Jurisdiction of Binion Road**

**COUNTY DEED**

THIS DEED, made as of the date signed below, by Orange County, a charter county and political subdivision of the state of Florida, whose address is P. O. Box 1393, Orlando, Florida 32802-1393, GRANTOR, and the City of Apopka, a municipal corporation, under the laws of the state of Florida, whose address is 120 E. Main St., Apopka, Florida, 32703 GRANTEE.

WITNESSETH: That the GRANTOR, for and in consideration of the sum of \$1.00 and other valuable considerations, in hand paid by the GRANTEE, the receipt whereof is hereby acknowledged, does hereby remise, release, and quit-claim unto the said GRANTEE forever, all the right, title, interest, claim, and demand which the GRANTOR has in and to the following described lot, piece, or parcel of land, situate, lying and being in the county of Orange, state of Florida, to-wit:

**SEE ATTACHED APPENDIX "A"**

**Property Appraiser's Parcel Identification Number:**

**Unassigned**

THIS COUNTY DEED is being given in accordance with the Interlocal Agreement regarding the Transfer of Jurisdiction of Binion Road from Hayden Valley Street to Areca Palm Drive.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity, and claim whatsoever of the GRANTOR, either in law or equity, to the only proper use, benefit, and behoove of the GRANTEE forever.

**Project: Interlocal Agreement between City of Apopka and Orange County regarding the Transfer of Jurisdiction of Binion Road**

IN WITNESS WHEREOF, the said GRANTOR has caused these presents to be executed in its name by its Board, acting by the County Mayor, the day and year aforesaid.



ORANGE COUNTY, FLORIDA  
By: Board of County Commissioners

BY: *Jerry L. Demings*  
for Jerry L. Demings, Mayor  
Orange County Mayor

DATE: November 19, 2024

ATTEST: Phil Diamond, CPA, Orange County Comptroller,  
as Clerk to the Board of County Commissioners

BY: *Jennifer Lara-Klimetz*  
Deputy Clerk

Jennifer Lara-Klimetz  
Printed Name

## Appendix “A”



CITY OF APOPKA  
 COUNTY ROAD 437 (BINION ROAD)  
 PARCEL NO. 309-100  
 PURPOSE: RIGHT OF WAY TRANSFER  
 ESTATE: FEE SIMPLE

**LEGAL DESCRIPTION:**

**PART A**

A parcel of land lying within the existing Right of Way of County Road 437 (Binion Road), an 80.00 feet wide Right of Way as shown on Road Plat Book 1, Page 40 of the Public Records of Orange County, Florida, located in the South 1/2 of Section 7 and in Section 18, all in Township 21 South, Range 28 East, Orange County, Florida, being more particularly described as follows:

Commence at found 6-inch by 6-inch concrete monument with broken top and no identification marking the Northeast corner of Section 18, Township 21 South, Range 28 East, Orange County, Florida; thence run North 89°13'32" West along the North line of the Northeast 1/4 of said Section 18, a distance of 2601.61 feet to a point on the existing Easterly Right of Way line of said County Road 437 for the POINT OF BEGINNING; said point being on a non-tangent curve concave Westerly, having a radius of 11146.27 feet, a chord distance of 122.96 feet and a chord bearing of South 01°57'58" West; thence departing said North line from a tangent bearing of South 01°39'00" West, run along said Easterly Right of Way line the following four (4) courses: thence run Southerly along the arc of said curve through a central angle of 00°37'55", a distance of 122.96 feet to the point of tangency thereof; thence South 02°16'55" West, a distance of 2553.78 feet to the point of curvature of a curve, concave Easterly having a radius of 5689.65 feet, a chord distance of 203.59 feet and a chord bearing of South 01°15'25" West; thence run Southerly along the arc of said curve through a central angle of 02°03'01", a distance of 203.60 feet to the point of tangency thereof; thence South 00°13'54" West, a distance of 750.39 feet; thence departing said Easterly Right of Way line, run North 40°36'18" West, a distance of 122.34 feet to a point on the existing Westerly Right of Way line of said County Road 437; thence run along said Westerly Right of Way line the following five (5) courses: thence North 00°13'54" East, a distance of 657.82 feet to the point of curvature of a curve, concave Easterly having a radius of 5769.65 feet, a chord distance of 206.46 feet and a chord bearing of North 01°15'25" East; thence run Northerly along the arc of said curve through a central angle of 02°03'01", a distance of 206.47 feet to the point of tangency thereof; thence North 02°16'55" East, a distance of 2553.78 feet to the point of curvature of a curve, concave Westerly having a radius of 11066.27 feet, a chord distance of 192.64 feet and a chord bearing of North 01°47'00" East; thence run Northerly along the arc of said curve crossing into aforesaid Section 7 through a central angle of 00°59'51", a distance of 192.64 feet to the point of tangency thereof; thence North 01°17'05" East, a distance of 758.17 feet to a point on the existing North Right of Way line of Hayden Valley Street, an 80.00 feet wide Right of Way as shown on Clear Lake Landing according to the plat thereof as recorded in Plat Book 84, Page 40 of

SEE SHEET 2 FOR CONTINUATION

**NOTES:**


1. THIS SKETCH OF DESCRIPTION WAS PREPARED WITHOUT THE BENEFIT OF CERTIFICATE OF TITLE.
2. BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON THE NORTH LINE OF THE NE 1/4 OF SECTION 18, TOWNSHIP 21 SOUTH, RANGE 28 EAST, ORANGE COUNTY, FLORIDA, BEING NORTH 89°13'32" WEST.

I HEREBY CERTIFY THIS SKETCH OF DESCRIPTION IS IN ACCORDANCE WITH THE STANDARDS OF PRACTICE AS REQUIRED BY CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

*Sheila A. Ware* 07/24/2024  
 SHEILA A. WARE, PSM DATE  
 LICENSE NO. 5529

NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

SEE SHEET 4 FOR LEGEND  
 SEE SHEETS 4-6 FOR SKETCH OF DESCRIPTION

DATE FEBRUARY 15, 2024		CERTIFICATION OF AUTHORIZATION NO. LB 8011   <b>Dewberry</b>  800 NORTH MAGNOLIA AVENUE SUITE 1000 ORLANDO, FLORIDA 32803 (407) 843-5120	<b>SKETCH OF DESCRIPTION          (THIS IS NOT A BOUNDARY SURVEY)</b>	<b>PARCEL          309-100</b>
DRAWN BY M.ROLLINS				
CHECKED BY S.WARE			REVISION BY DATE	SHEET 1 OF 6
DEWBERRY PROJECT NO. 50088267				

CITY OF APOPKA  
 COUNTY ROAD 437 (BINION ROAD)  
 PARCEL NO. 309-100  
 PURPOSE: RIGHT OF WAY TRANSFER  
 ESTATE: FEE SIMPLE

**LEGAL DESCRIPTION:**

**PART A  
 CONTINUED FROM SHEET 1**

aforesaid Public Records; thence departing said North Right of Way line of Hayden Valley Street and said Westerly Right of Way line of County Road 437, run South 88°42'55" East, a distance of 80.00 feet to a point on aforesaid Easterly Right of Way line of County Road 437; thence run along said Easterly Right of Way line the following two (2) courses: thence South 01°17'05" West, a distance of 758.17 feet to the point of curvature of a curve, concave Westerly having a radius of 11146.27 feet, a chord distance of 71.07 feet and a chord bearing of South 01°28'02" West; thence run Southerly along the arc of said curve through a central angle of 00°21'55", a distance of 71.07 feet to the POINT OF BEGINNING.

Containing 8.107 acres, more or less.


**PART B**

A parcel of land lying within the existing Right of Way of County Road 437 (Binion Road), an 80.00 feet wide Right of Way as shown on Road Plat Book 1, Page 40 of the Public Records of Orange County, Florida, located in the South 1/2 of Section 18 and the Northeast 1/4 of Section 19, all in Township 21 South, Range 28 East, Orange County, Florida, being more particularly described as follows:

Commence at found 6-inch by 6-inch concrete monument with broken top and no identification marking the Northeast corner of Section 18, Township 21 South, Range 28 East, Orange County, Florida; thence run North 89°13'32" West along the North line of the Northeast 1/4 of said Section 18, a distance of 2601.61 feet to a point on the existing Easterly Right of Way line of said County Road 437; said point being on a non-tangent curve concave Westerly, having a radius of 11146.27 feet, a chord distance of 122.96 feet and a chord bearing of South 01°57'58" West; thence departing said North line from a tangent bearing of South 01°39'00" West, run along said Easterly Right of Way line the following nine (9) courses: thence run Southerly along the arc of said curve through a central angle of 00°37'55", a distance of 122.96 feet to the point of tangency thereof; thence South 02°16'55" West, a distance of 2553.78 feet to the point of curvature of a curve, concave Easterly having a radius of 5689.65 feet, a chord distance of 203.59 feet and a chord bearing of South 01°15'25" West; thence run Southerly along the arc of said curve through a central angle of 02°03'01", a distance of 203.60 feet to the point of tangency thereof; thence South 00°13'54" West, a distance of 1201.39 feet to the POINT OF BEGINNING; thence continue South 00°13'54" West, a distance of 493.25 feet to the point of curvature of a curve, concave Northeasterly having a radius of 915.37 feet, a chord distance of 441.46 feet and a chord bearing of South 13°43'19" East; thence run Southeasterly along the arc of said curve through a central angle of 27°54'27", a distance of 445.85 feet to the point of tangency thereof; thence South 27°40'32" East crossing into aforesaid Section 19, a distance of 718.45 feet to the point of curvature of a curve, concave Southwesterly having a radius of 995.37 feet, a chord distance of 510.18 feet and a chord bearing of South 12°49'35" East; thence run Southeasterly along the arc of said curve through a central angle of 29°41'55", a distance of 515.94 feet to the point of tangency thereof; thence South 02°01'23" West, a distance of 1319.48 feet; thence departing said Easterly Right of Way line, run North 87°58'37" West, a distance of 80.00 feet to a point on the existing Westerly Right of Way line of said County Road 437; thence run along said Westerly Right of Way line the following five (5) courses: thence North 02°01'23" East, a distance of 1319.48 feet to the point of curvature of a curve, concave Southwesterly having a radius of 915.37 feet, a chord distance of 469.18 feet and a chord bearing of North 12°49'35" West; thence run Northwesterly

SEE SHEET 3 FOR CONTINUATION

SEE SHEET 4 FOR LEGEND  
 SEE SHEETS 4-6 FOR SKETCH OF DESCRIPTION

DATE FEBRUARY 15, 2024		CERTIFICATION OF AUTHORIZATION NO. LB 8011   <b>Dewberry</b>  800 NORTH MAGNOLIA AVENUE SUITE 1000 ORLANDO, FLORIDA 32803 (407) 843-5120	<b>SKETCH OF DESCRIPTION          (THIS IS NOT A BOUNDARY SURVEY)</b>  COUNTY ROAD 437 (BINION ROAD) CITY OF APOPKA ORANGE COUNTY, FLORIDA	<b>PARCEL          309-100</b>  SCALE: N/A
DRAWN BY M.ROLLINS				
CHECKED BY S.WARE				
DEWBERRY PROJECT NO. 50088267				
REVISION	BY	DATE		SHEET 2 OF 6



CITY OF APOPKA  
 COUNTY ROAD 437 (BINION ROAD)  
 PARCEL NO. 309-100  
 PURPOSE: RIGHT OF WAY TRANSFER  
 ESTATE: FEE SIMPLE


LEGAL DESCRIPTION:  
 PART B  
 CONTINUED FROM SHEET 2

along the arc of said curve through a central angle of 29°41'55", a distance of 474.47 feet to the point of tangency thereof; thence North 27°40'32" West crossing into aforesaid Section 18, a distance of 718.45 feet to the point of curvature of a curve, concave Northeasterly having a radius of 995.37 feet, a chord distance of 480.04 feet and a chord bearing of North 13°43'19" West; thence run Northwesterly along the arc of said curve through a central angle of 27°54'27", a distance of 484.82 feet to the point of tangency thereof; thence North 00°13'54" East, a distance of 585.81 feet; thence departing said Westerly Right of Way line, run South 40°36'18" East, a distance of 122.34 feet to the POINT OF BEGINNING.

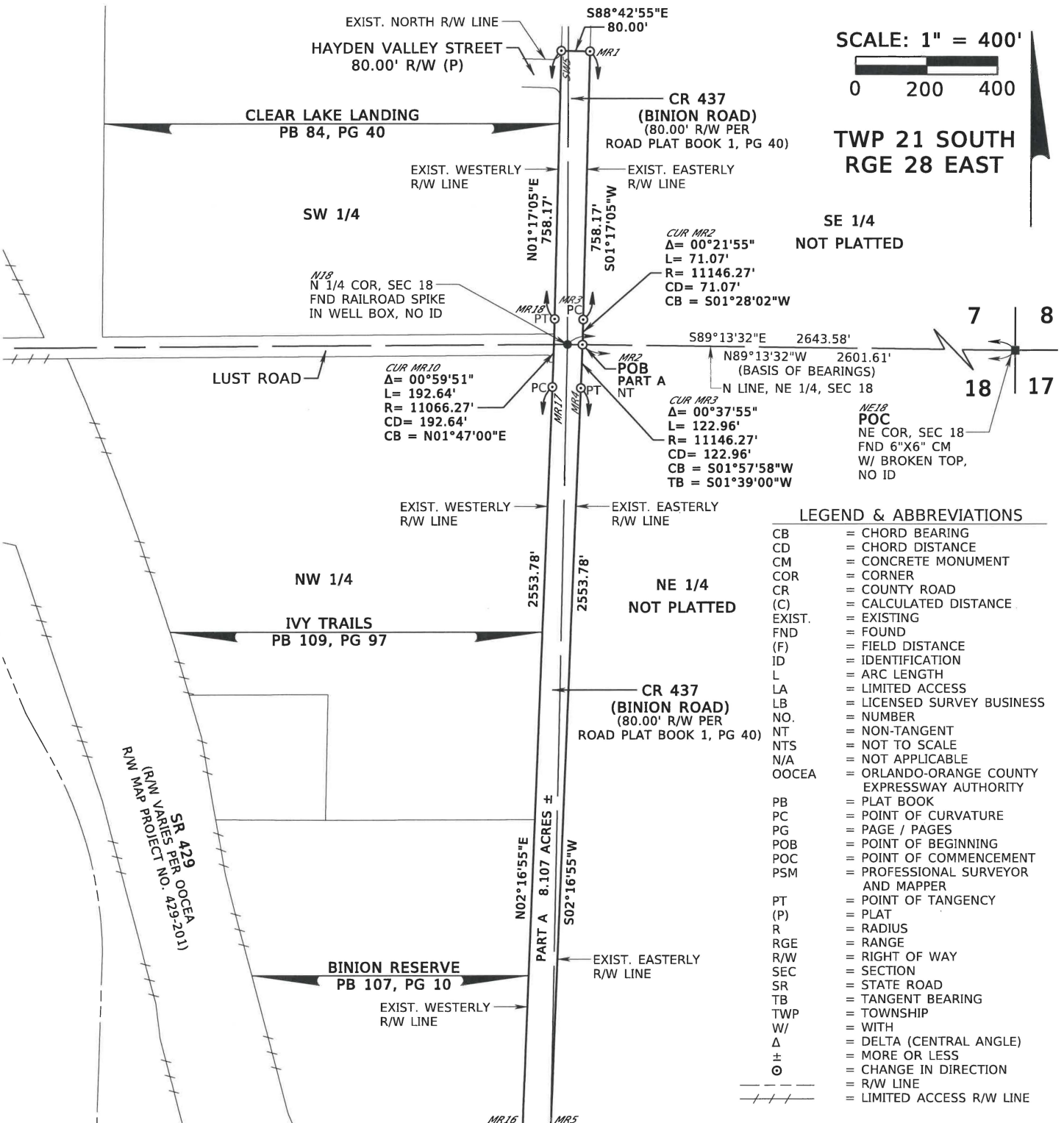
Containing 6.498 acres, more or less.

Containing in the aggregate 14.605 acres, more or less.

SEE SHEET 4 FOR LEGEND  
 SEE SHEETS 4-6 FOR SKETCH OF DESCRIPTION

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DRAWN BY M.ROLLINS				
CHECKED BY S.WARE			COUNTY ROAD 437 (BINION ROAD) CITY OF APOPKA ORANGE COUNTY, FLORIDA	SCALE: N/A
DEWBERRY PROJECT NO. 50088267				SHEET 3 OF 6
REVISION	BY	DATE		

CITY OF APOPKA  
 COUNTY ROAD 437 (BINION ROAD)  
 PARCEL NO. 309-100  
 PURPOSE: RIGHT OF WAY TRANSFER  
 ESTATE: FEE SIMPLE



SEE SHEETS 1-3 FOR LEGAL DESCRIPTION

MR.16  
MR.5  
SEE SHEET 5

DATE	FEBRUARY 15, 2024	
DRAWN BY	M.ROLLINS	
CHECKED BY	S.WARE	
DEWBERRY PROJECT NO.	50088267	
REVISION	BY	DATE

CERTIFICATION OF AUTHORIZATION NO. LB 8011

**Dewberry**

800 NORTH MAGNOLIA AVENUE  
 SUITE 1000  
 ORLANDO, FLORIDA 32803  
 (407) 843-5120

**SKETCH OF DESCRIPTION  
 (THIS IS NOT A BOUNDARY SURVEY)**

COUNTY ROAD 437 (BINION ROAD)  
 CITY OF APOPKA  
 ORANGE COUNTY, FLORIDA

**PARCEL  
 309-100**

SCALE: 1"=400'

SHEET 4 OF 6



